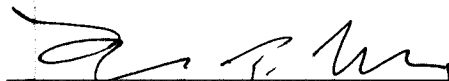




of fact for the jury. Accordingly, the Court **DENIES** the Motion to the extent that references to the costs of the hill stabilization will not be excluded from trial as irrelevant.

It is so ORDERED.

Entered this the 29<sup>th</sup> day of October, 2013.

  
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JOHN T. NIXON, SENIOR JUDGE  
UNITED STATES DISTRICT COURT